

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kahn et al. Art Unit : 1635
Serial No. : 10/074,694 Examiner : Jane Zara
Filed : February 12, 2002
Title : MODULATING THE RAD-NM23 INTERACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to substantive examination, please amend the application as follows:

Amendments to the claims begin on page 2.

Remarks begin on page 7.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

July 21, 2004

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Joanne D Boyle

Joanne D. Boyle

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REMARKS

Upon entry of this amendment, claims 2-37 will be pending. In the response to restriction requirement filed on July 21, 2004, Applicants elected Group I (claims 2 and 3), directed to methods of modulating Rad activity comprising the administration of a polypeptide. Claims 17-37 have been added. These new claims are supported throughout the application as filed, e.g., at page 12, line 20, to page 14, line 20. No new matter has been added. Claims 2, 3, and 17-37 are encompassed by Group I and are now pending and under examination.

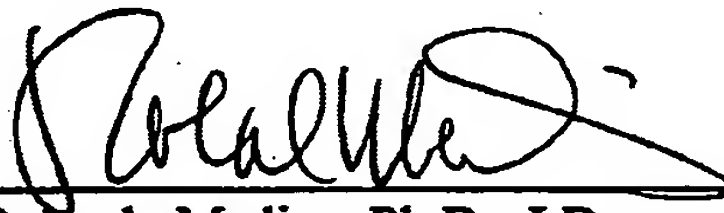
Applicants ask that all claims be examined in view of the amendment to the claims.

Enclosed is Petition for Extension of Time along with the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

21 July 2004



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